

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:

Billy C. Kirby III

Case No.: 21-53366

Chapter: 7

Debtor(s)

Motion for Violation of Automatic Stay

On the day of June 1, 2021 on or before 3pm. Howard P. Slomka, Esq., attorney for my landlord William E. Touloumis came to my home & I was actually pulling up as he was knocking on my door. Mr. Slomka saw me pull up & then came to my car window, introduces himself then asks me, "Do I want to ~~talk~~ talk right here in front of my guests in the car or do I want to get out the car". Of course I got out because I didn't want my son or guests in car to witness conversation.

Dated: 6/22/21

Signature:

Billy C. Kirby III

Printed Name:

Billy C. Kirby III

Address:

5127 Pindus Pass  
Powder Springs, GA 30127

Phone:

(678) 591-6138

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NORTHERN DISTRICT  
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When I stepped out of the car Mr. Slomka proceeded to ask me when did we plan to vacate? Mr. Slomka said agreeing on a lease termination date would save me the ~~an~~ embarrassment of a police eviction. Mr. Slomka was asking me if my wife was going to pay or move out because she did not file bankruptcy & he plans to get a judgment against her. I at that point advised Mr. Slomka that we are to handle everything by law through bankruptcy court because he is very aware, I'm in bankruptcy. Mr. Slomka said, "I know I just wanted to see if we could get an early termination agreed upon." I advised Mr. Slomka I couldn't give him an early termination date & I will deal accordingly by how the bankruptcy court's direction.

**Make a copy**

Erica <erica@pugoers.com>

Wed 6/23/2021 11:52 AM

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**From:** Howie Slomka <hs@bsms.law>

**Sent:** Tuesday, June 1, 2021 5:04 PM

**To:** Erica

**Subject:** RE: Lease Default Notice MAY 2021

I met with Billy briefly outside the house. \*

I want to confirm that HE is in bankruptcy but you are not. Correct?

If you both want to move out, let me know when and we can sign a lease termination, which is far better than getting a money judgment against you. As of now, you are 3 months behind in the lease (4,800 each) and we have send YOU a notice of termination, but hard nothing back.

We reserve all rights and remedies, including the full acceleration of the Lease, but we would be willing to reduce that if you cooperate in lease termination and move out date.

Please reply and let me know your plan.

**Howard P. Slomka, Esq.**

PARTNER

BUSCH, MILLS & SLOMKA, LLP



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